Appl. No. 10/045,578
Amdt. Dated January 26, 2007
Reply to Office Action of October 27, 2006

Attorney Docket No. 81747.0212
Customer No. 26021

## REMARKS/ARGUMENTS

This application has been carefully reviewed in light of the Office Action dated October 27, 2006. Claims 1-18 remain in this application. Claims 1, 8 and 16 are the independent Claims. Claims 1, 4, 8, 11 and 16 have been amended. It is believed that no new matter has been entered by the above amendments Reconsideration and entrance of the amendment in the application are respectfully requested.

### Art-Based Rejections

Claims 1, 7-8 and 14 were rejected under 35 U.S.C. § 103(a) over "OLE for Retail POS – Application Programmer's Guide" (Epson) in view of U.S. Patent Pub. No. 2001/0029534 (Spinks); Claims 2-6, 9-13 and 15-18 were rejected under 35 U.S.C. § 103(a) over Epson in view of Spinks and further in view of U.S. Patent No. 6,741,558 (Gresham). Applicant respectfully traverses the rejections and submits that the claims herein are patentable in light of the arguments below.

### The Epson et al. Reference

The Epson reference (OLE for Retail POS – Application Programmer's Guide) provides guidance to application developers and hardware providers relating to OPOS controls. The OPOS control has a Service Object that passes information to a Control Object by reporting events. (*See, Epson, page 11*). The Service Object reports a status change data that indicates a change in device status. Epson refers to this function as StatusUpdateEvent, which reports a change in the device's status. (*See, Epson, page 22*).

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## The Gresham Reference

Gresham is directed to an event detector that detects a plurality of different possible asynchronous events from any of a plurality of source addresses and nodes, debounces the event and, once a valid event has been identified and confirmed, formats and transmits a message via a message transport system to a predetermined destination address for further appropriate action. Each event is time-stamped so that latency in the message transport system does not affect time-critical events. Thus, the transmitted message identifies the source address, source node, an event number for identifying the event, and a time-stamp associated with the event. (*See, Gresham, Col. 1, lines 45-56*).

## The Spinks et al. Reference

Spinks et al. is directed to methods and apparatus for physically locating and tracking devices connected to a network from a central point using the network cable infrastructure to which the devices connect. *(See, Spinks, para. 3)*

## The Claims are Patentable Over the Cited References

The present application is generally directed to a device status monitoring system and method for a data processing system.

As defined by independent Claim 1, a device status monitoring system in a data processing system includes a peripheral device connected to a host computer. The host computer runs an operating system and an application capable of controlling the peripheral device. The host computer includes a device control system for controlling the peripheral device through the operating system. The device control system includes a first object providing a device class interface to the application and a second object providing an interface for the peripheral device to

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the first object. The device status monitoring system includes a status change data recording unit in the second object for continuously recording status change data indicating each sequential change in a device status to a status change recording unit. A recording condition input unit for selecting the data to be record by defining one or more recording conditions.

The applied references do not disclose or suggest the above features of the present invention as defined by amended independent Claim 1. In particular, the applied references do not disclose or suggest a device status monitoring system with "a recording condition input unit for selecting the data to be record by defining one or more recording conditions", as required by amended independent Claim 1.

It is an aspect of the present invention that an operator, for example, can define one or more recording conditions which are used to select the data that is to be recorded by the status change data recorder. (*See, Specification, Figs. 4 and 7; page 7, line 21-page - 8, line 14; page 11, lines 8-23*).

Epson discloses a service object that enqueues events as they occur, which will then be delivered to the application when conditions are correct. (*See Epson, page 22, line 11*). However, a service object that immediately enqueues and later delivers all events fails to teach or suggest a device status monitoring system, where that enables the selection of the data that is to be recorded.

Accordingly Epson fails to disclose, teach or suggest a device status monitoring system that includes "a recording condition input unit for selecting the data to be record by defining one or more recording conditions", as required by amended independent Claim 1.

As discussed above, the ancillary Spinks and Gresham fail to remedy the deficiencies of Epson.

Since the applied references do not disclose or suggest the above features of the present invention as required by amended independent Claim 1, those

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references cannot be said to anticipate nor render obvious the invention which is the subject matter of that claim.

Accordingly amended, independent Claim 1 is believed to be in condition for allowance and such allowance is respectfully requested.

Independent claim 8 has been amended to include "selecting the data to be record by defining one or more recording conditions".

Independent claim 16 has been amended to include "receiving one or more defined recording conditions that are defined so as to select data to be recorded".

As such, Applicant respectfully suggests that amended independent claims 8 and 16 are allowable for at least the same reasons as discussed above with reference to amended independent Claim 1.

The remaining Claims 2-7, 9-15 and 17-18 depend directly or indirectly from independent Claims 1, 8 and 16 and recite additional features of the invention which are neither disclosed nor fairly suggested by the applied references, and are also believed to be in condition for allowance, and such allowance is respectfully requested.

## Conclusion

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (310) 785-4721 to discuss the steps necessary for placing the application in condition for allowance.
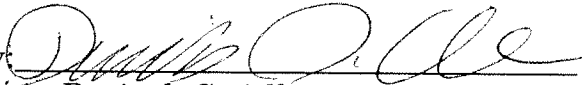
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       If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,

HOGAN & HARTSON L.L.P.

Date:  January 26, 2007        By

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